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PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 7

Application Number	09/762,380
Filing Date	February 7, 2001
First Named Inventor	Yoshitaka Yaguchi, et al.
Art Unit	2616
Examiner Name	James A. Fletcher
Attorney Docket No.	MTS-3243US

### ENCLOSURES (Check all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation,<br>Change of Correspondence<br>Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply<br>Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below): Petition 1.181<br>Copy of filed IDS and Form<br>1449; Copy of Returned<br>Postcard; Return Receipt<br>Postcard |
|--|--|---|

Remarks:

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	RatnerPrestia		
Signature			
Printed Name	Daniel N. Calder		
Date	September 21, 2005	Registration No.	27,424

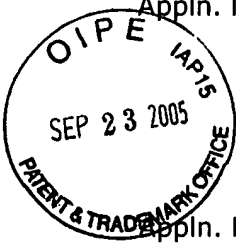
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Typed or Printed Name	Donna M. Wellings	Date	September 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 09/762,380  
 Applicants: Yoshitaka Yaguchi, et al.  
 Filed: February 7, 2001  
 Title: RECORDING AND REPRODUCING APPARATUS, MPEG  
 IMAGE STREAM RECORDING AND REPRODUCING  
 TC/A.U.: 2616  
 Examiner: James A. Fletcher  
 Confirmation No.: 3996  
 Docket No.: MTS-3243US

**PETITION UNDER 37 C.F.R. §1.181 FOR  
 CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

S I R :

Applicants filed an Information Disclosure Statement (IDS) and Form 1449 on February 7, 2001. A copy of the IDS and Form 1449, as filed, and a copy of the return postcard evidencing receipt of the IDS by the PTO is enclosed. Page 1 of Form 1449, although properly filed, has not been returned to Applicants.

The Examiner is respectfully requested to consider the references identified in the originally filed IDS and Form 1449, and to initial and return the Form 1449, page 1, to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS has been considered.

Respectfully submitted,

RatnerPrestia

*Daniel N. Calder*

Daniel N. Calder, Reg. No. 27,424  
 Attorney for Applicants

DNC/dmw

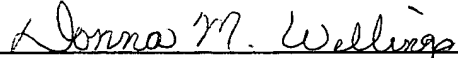
Enclosures: IDS and PTO-1449' (as previously filed)  
Copy of Returned Postcard

Dated: September 21, 2005

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 21, 2005.



Donna M. Wellings

DMW\_I:\MTS\3243US\PETITION1.181.DOC



MTS-3243US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Y. Yaguchi et al. : Art Unit:  
Serial No.: To Be Assigned : Examiner:  
Filed: Herewith :  
FOR: RECORDING AND REPRODUCING :  
APPARATUS, MPEG IMAGE STREAM  
RECORDING AND REPRODUCING  
APPARATUS AND MEDIUM

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The enclosed references are not in the English language, but were cited by a foreign patent office in a counterpart foreign application. A copy of this Japanese language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. ✓ Also enclosed is

*see MPER 609A(3)*

an English translation of Form PCT/ISA/210 to explain the special category definitions of the Japanese language search report.

This information disclosure statement is being filed with the above-referenced application. No fee or certification is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

  
\_\_\_\_\_  
Allan Ratner, Reg. No. 19,717  
Attorney for Applicants

COPY

Encls.: PTO Form 1449,  
Copy of (5) References,  
Japanese Language Search Report, and  
English Translation of PCT/ISA/210

Dated: February 7, 2001

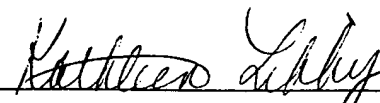
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Date of Deposit: February 7, 2001

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\_\_\_\_\_  
Kathleen Libby

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
MTS-3243US

SERIAL NO  
To Be Assigned

Information Disclosure  
Statement by Applicant

(Use several sheets if necessary)

APPLICANT  
Y. Yaguchi et al.

FILING DATE  
Herewith

GROUP  
To Be Assigned

U.S. PATENT DOCUMENTS

Exmr Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,602,956	02/11/97	Suzuki et al. (corresponding to JP 6-261303)			

FOREIGN PATENT DOCUMENTS

Exmr Initial	Document Number	Date	Country	Class	Sub Class	Translation YES   NO
	9-259574	10/03/97	Japan			X
	6-261303	09/16/94	Japan (corresponding to US 5,602,956)			
	6-268969	09/22/94	Japan			X
	7-162800	06/23/95	Japan			X

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

	1	Japanese search report for PCT/JP00/00956 dated October 3, 2000.
	2	English translation of Form PCT/ISA/210.

Examiner	Date Considered
----------	-----------------

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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2001

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FILE NO. 449 FEE DUE? YES NO AMT ENC'D \$3060/440

NAME: Y. YAGUCHI ET AL

DOCUMENTS FOR FID-1770(00) INTL APP

AS FILED (1998) INTL FIDURES RECEIVED (17),

EXAMINER REPORT OF INTL APP (1998), EXAMINER

REPORT OF INTL FIDURES (17), EXAMINER, AMENDMENTS

UNDER PATENT (1998) (17), EXAMINER, AMENDMENTS

EXAMINER REPORT (1998) (17), EXAMINER, AMENDMENTS

REPORT (1998) (17), EXAMINER, AMENDMENTS

REPORT (1998) (17), EXAMINER, AMENDMENTS

REPORT (1998) (17), EXAMINER, AMENDMENTS

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008 Rec'd PCT/PTC